

FILED IN CIRCUIT COURT  
OF LIVINGSTON COUNTY, ILLINOIS

AUG 09 1989

LAST JOINT AND MUTUAL WILL AND TESTAMENT

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AUG 11 1983

OF

JOHN P. WADE and TULA H. WADE

*John P. Wade*  
CLERK

We, JOHN P. WADE and TULA H. WADE, of Fairbury, Illinois, both being of sound mind and memory, and wishing to direct how our property shall be distributed on our death, hereby make, publish and declare this to be our Last Joint and Mutual Will and Testament. We hereby specifically revoke any and all former wills by us or either of us made.

ARTICLE I

Each of us have been advised by our attorney as to the nature and effect of a joint and mutual will. It is our desire and intent that this will cannot be changed after the first of us dies. We direct that all our just debts, funeral expenses, expenses of our respective last illnesses and expenses of administering our estates shall be paid as soon after our respective deaths as may be conveniently possible. We further direct that all the Federal estate tax, all State estate tax, all State inheritance tax, and all other expenses of the administration of our respective estates shall be paid out of the residue of our estates.

ARTICLE II

It is the will and desire of each of us, and the mutual wish and desire of both of us, that on the death of either of us, all the property of the deceased party, whether real, personal or mixed, shall descend to and become the sole and separate property of the surviving party for his or her other use and benefit so long as the survivor shall live.

ARTICLE III

It is the will and desire of each of us, and our mutual desire, that on the death of whichever one of us survives the other all our property of whatsoever kind and nature shall be distributed as follows:

- (1) To MARY VINES WEISINGER, all of TULA H. WADE'S jewelry.
- (2) To CRAIG SUTTER, JOHN P. WADE'S diamond ring.
- (3) To FAIRBURY ECHOES MUSEUM, Fairbury, Illinois, the following:
  - (a) Brass mortar and pestle.
  - (b) Three pharmaceutical bottles, glass, gold leaf labels:

*John P. Wade*  
*Tula H. Wade*

*Robert H. Howard*  
*William H. Howard*

- (1) Diamond d'st.
- (2) P. Sanguin.
- (3) Crocus.
- (c) Five "Phil Wade Druggist" bottles and/or glasses.
- (d) Silver and glass enclosed (scale) balance.
- (e) Marble-top scale with two brass pans.
- (f) German wall clock.
- (g) Framed Wade's Drug Store business card and bottle label.
- (h) Framed 1918 Fairbury Fair catalog.

In the event that the FAIRBURY ECHOES MUSEUM is not in existence, then we bequeath such above bequests to the LAKE OF THE WOODS MUSEUM, Champaign County, Illinois.

(4) All the rest, residue and remainder of our estate shall be distributed as follows:

(a) TWENTY PERCENT (20%) of such residue of our estate, we direct shall be distributed to the TRUSTEES OF LAKE FOREST COLLEGE, Lake Forest, Illinois. This bequest shall be used by the TRUSTEES OF LAKE FOREST COLLEGE to establish a scholarship endowment. The income from such scholarship endowment shall be used to aid students selected by the Board of Trustees from the general student body of LAKE FOREST COLLEGE. The scholarship endowment shall be known as the "JOHN P. WADE SCHOLARSHIP."

(b) FIVE PERCENT (5%) of such residue of our estate, we direct shall be distributed to the TRUSTEES OF THE FIRST UNITED PRESBYTERIAN CHURCH OF FAIRBURY, Fairbury, Illinois. We direct that this bequest shall be used by the TRUSTEES OF THE FIRST UNITED PRESBYTERIAN CHURCH OF FAIRBURY, Fairbury, Illinois, solely for improvements to the Fairbury Church building and grounds. It is our intention that the Trustees shall use this bequest for such things as air conditioning, carpeting, pews, redecorating, musical instruments, printed choir music, landscaping, parking areas, Sunday School equipment, kitchen equipment, chairs, tables and books, as such items may from time to time be needed to maintain the Church structure and to enhance church worship.

(c) The remaining SEVENTY-FIVE PERCENT (75%) of such residue of our estate, we bequeath to the TRUSTEES OF THE PRAIRIE LANDS FOUNDATION, situated at Fairbury, Illinois. Each calendar year after the Trustees

*John P. Wade*

*William W. Brown*



receive this bequest from our estate, they shall distribute the income therefrom, at their discretion, to such entities or agencies located within the Fairbury-Cropsey Community Unit School District, as such district's boundary lines are determined on the date of the execution of this Last Joint and Mutual Will and Testament. The income shall be used by said entities or agencies to improve the cultural, recreational, and community services provided the residents of the area. It is our intention that the income may be used for recreational facilities; to establish and maintain parks or park improvements; to establish and maintain tennis, racket ball, handball and squash courts, and picnic areas; to establish and maintain hiking and nature trails; to establish and maintain summer park classes teaching sports, crafts, and arts; to aid, assist, establish and maintain community services, including hospital facilities, ambulance services, homes for the elderly, transportation and entertainment for the elderly; and to aid in the maintenance and improvement of the Dominy Memorial Library and Fairbury Echoes Museum.

We specifically direct that the TRUSTEES OF THE PRAIRIE LANDS FOUNDATION shall make no distribution of income to any entity or agency, unless such entity or agency would be a charity, and for which a charitable deduction would be allowed under the rules and regulations of the Internal Revenue Code of the United States of America.

The income payments provided for in this article of our Last Joint and Mutual Will and Testament shall be made only when the income is in the possession of the Trustees. No income or principal payable under the terms of this Last Joint and Mutual Will shall be assignable.

#### ARTICLE IV

We hereby nominate, constitute and appoint the survivor of us as Executor of this our Last Joint and Mutual Will and Testament. In the event of the refusal or inability of the survivor of us to act as Executor, then in that event, we nominate and appoint the NATIONAL BANK OF FAIRBURY, Fairbury, Illinois, as Successor Executor. We direct that our Executor or Successor Executor shall not be required to furnish a surety bond.

We give our Executor or Successor Executor the following powers and discretions in each case to be exercised without order of court:

- (1) To sell at public or private sale, to retain, to lease, to

*John D. Wade*  
*Julia A. Wade*

*Robert H. Spencer*  
*William C. Denny*

borrow money for that purpose, to mortgage or to pledge all or part of the real or personal property of our estates;

(2) To settle claims in favor of or against our estates;

(3) To exercise and not to exercise any election or option granted to executors by the Internal Revenue Code in force at our deaths;

(4) To distribute the residue of our estates in cash or in kind, or partly in each, and for this purpose the determination of the Executor as to the value of any property distributed in kind shall be conclusive; and

(5) To execute and deliver any deeds, contracts, mortgages, bills of sale or other instruments necessary and desirable.

#### ARTICLE V

In the event that we should die in a common accident or disaster, and under such circumstances there would not be sufficient evidence that we have died otherwise than simultaneously, then in such event our estates shall be disposed of and this Last Joint and Mutual Will and Testament shall be read to the effect that TULA H. WADE survived JOHN P. WADE.

IN WITNESS WHEREOF, we have this 5 day of Feb., 1982, placed, our hands and seals on this and each preceding page of this, our Last Joint and Mutual Will and Testament.

Tula H. Wade (SEAL)

John P. Wade (SEAL)

The foregoing instrument was on the date thereof signed by the said JOHN P. WADE and TULA H. WADE, in our presence, and was at the same time declared by them to be their Last Joint and Mutual Will and Testament, and we at the same time, in their presence, at their request, and in the presence of each other, have hereunto signed our names as attesting witnesses. We do hereby certify that at the time of the execution of this Last Joint and Mutual Will and Testament the said JOHN P. WADE and TULA H. WADE were of sound mind and memory.

Robert L. Brown of St. Petersburg, Fla.  
William W. Brown of St. Petersburg, Fla.



AFFIDAVIT OF WITNESSES

STATE OF ILLINOIS     )  
                                  ) ss.  
COUNTY OF LIVINGSTON)

We, the attesting witnesses to the Last Joint and Mutual Will and Testament of JOHN P. WADE and TULA H. WADE, state under affirmation that each of us was present and saw the testators sign and declare as their Last Joint and Mutual Will and Testament the instrument of which this affidavit is a part; that each of us believed them to be of sound mind and memory and not under duress or constraint of any kind; and that each of us then attested the Last Joint and Mutual Will and Testament at the testators' request and in the presence of the testators and of each other.

Robert H. Brown  
William W. Brown

Signed and affirmed before me, a Notary Public, this 5 day of Feb., 1982.

Jo Ellen Saccar

SEAL

Notary Public, State of Florida at Large  
My Commission Expires NOV. 27, 1983